REMARKS

Status of the claims

Claims 52-55 are pending in the application. Claims 52-55 are rejected.

Claims 52 and 54 are currently amended. No new matter is added herein.

Claim Amendment

Claim 52 is amended herein to overcome the 35 U.S.C. §102(b) rejection. Amended claim 52 is drawn to an isolated DNA that differs from the nucleic acid sequence of SEQ ID NO: 6 due to inclusion of an intron sequence between exon 2 and exon 3 of SEQ ID NO: 6. Such a DNA encodes a TADG-14 protein variant with an amino acid sequence shown in SEQ ID NO: 75. This amendment is supported by the teachings of Example 3 in the instant specification.

Additionally, claim 54 is amended to correct the claim language. Hence, amended claim 54 is drawn to a host cell transfected with the vector, where the vector expresses a TADG-14 protein variant with the amino acid sequence shown in SEQ ID NO. 75.

35 U.S.C. §102(b) rejection

Claims 52-55 stand rejected under 35 U.S.C. §102(b) as being anticipated by **Mitsui** *et al* (Eur J Biochem 260: 627-634, 1999; PT 892). Applicant respectfully traverses this rejection.

The Examiner states that the teachings of **Mitsui** *et al* anticipate the claimed invention for the following reasons. The isolated DNA encoding a human neuropsin taught in this reference has an amino acid sequence that is 100% identical to TADG-14 variant having the amino acid sequence of SEQ ID NO: 75 of the instant invention. Additionally, the reference also teaches a vector such as BAC-TO-BAC comprising regulatory elements necessary for expressing the reference protein in the host cell such as insect cell (pg. 692, col. 2, recombinant neuropsin using a baculovirus expression system in particular).

Claim 52 is amended as discussed supra. The TADG-14 variant sequence was detected on examination of the complete transcript of the TADG-14 gene. This variant included an intron sequence between exon 2 and 3. As a result of this inclusion, the protein that was translated therefrom had an extended amino acid sequence. This protein is identified in the instant invention as the one with SEQ ID NO: 75 (Example 3, Figs. 10, 11). Hence, the claim amendments are supported by the disclosure in the instant specification.

Mitsui *et al* teach the nucleotide and amino acid sequence of neuropsin. The nucleotide sequence disclosed in **Mitsui** *et al* differs from SEQ ID NO: 6 (Fig. 3A of **Mitsui** *et al*). In fact, the instant specification discloses that there are differences between TADG-14 and neuropsin at the nucleotide level (pg. 48, line 6-14).

In order to anticipate a claim, the prior art must teach each and every element of the claim. Amended claim 52 is drawn to an isolated DNA that differs from the nucleic acid sequence of SEQ ID NO: 6 due to inclusion of an intron sequence, which is not taught by **Mitsui** *et al*. Hence, **Mitsui** *et al* do not teach each and every element of the amended claim 52 and thus, claim 52 is not anticipated by **Mitsui** *et al*. Since claims 53-55 are dependent from amended claim 52, they are not anticipated by **Mitsui** *et al* either. Accordingly, based on the claim amendments and remarks, Applicants respectfully request the withdrawal of rejection of claims 52-55 under 35 U.S.C. §102(b).

This is intended to be a complete response to the Office Action mailed June 04, 2007. Applicant respectfully submits that the pending claims are in condition for allowance. Applicant also encloses a Petition for Extension of Time and Form PTO-2038 along with the response. If any issues remain outstanding, please telephone the undersigned attorney of record for immediate resolution.

Respectfully submitted,

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